

C BK 11 PG 153

**LIEN NOTICE**

STATE OF TENNESSEE

COUNTY OF SHELBY

Michael F. Pleasants  
Winchate Building  
Suite 200  
8 South Third  
Memphis TN  
38103

N/A

NOTICE is hereby given that Whittington Paving Co., Inc., 21580 Highway 196, Arlington, Tennessee 38002, hereby claims a lien on the following property situated in DeSoto County, Mississippi, to-wit:

6295 Highway 51  
Horn Lake, DeSoto County, Mississippi  
State Tax Identification Number 10873500.0-00030.00  
SEE ATTACHED LEGAL DESCRIPTION

The aforesaid lien is in the amount of \$40,300.00, which is the unpaid balance for goods, materials and services furnished in the construction of the improvements on the above described real property, at the request of the owner of said property, Dr. Robert P. Tate, 7163 Goodman Road, Olive Branch, Mississippi 38654.

Suit has not been filed. The Contract has not been filed or recorded.

The undersigned claims a contractors and materialmens lien under the provisions of Section 85-7-131, Mississippi Code of 1972, as amended.

WITNESS my signature this the 23rd day of July, 2002.

STATE MS.-DE SOTO CO.

FILED

WHITTINGTON PAVING CO., INC.

JUL 25 4 01 PM '02

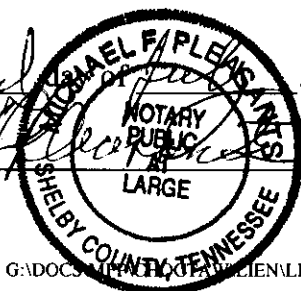
BY: Michael F. Pleasants

BK 11 PG 153  
W.E. DAVIS CH. CLK.

SWORN TO AND SUBSCRIBED before me on this 23rd day of July, 2002.

My Commission Expires Mar. 15, 2003

NOTARY PUBLIC



MY COMMISSION EXPIRES: \_\_\_\_\_

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ACKNOWLEDGMENT

STATE OF TENNESSEE

COUNTY OF SHELBY

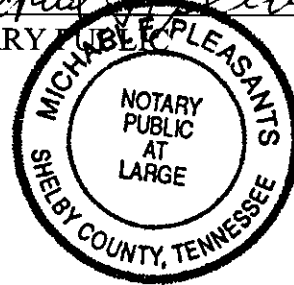
Before me, the undersigned, a Notary Public, within and for said County and State, at Memphis, duly commissioned and qualified, personally appeared Russell Whittington, President of Whittington Paving Co., Inc., with whom I am personally acquainted and who, upon his oath, acknowledged that he is the President of Whittington Paving Co., Inc., a Tennessee Corporation, and being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by the said Whittington Paving Co., Inc., subscribing the name of the corporation by himself as President, and further acknowledged that the facts recited in the foregoing Lien Notice are true and correct to the best of his knowledge, information and belief, and that the sum claimed is still due and owing.

WITNESS my hand and Notarial Seal at office in Memphis, Tennessee this 26th day of July, 2002.

*Michael J. Pleasants*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

My Commission Expires Mar. 15, 2003



BK 0384 PG 0373

"EXHIBIT A"

**DESCRIPTION:**

16.11 ACRES IN THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 8 WEST, CITY OF HORN LAKE, DESOTO COUNTY, MISSISSIPPI AND BEING DESCRIBED AS FOLLOWS:  
COMMENCING AT A FOUND 3/8 INCH REBAR MARKING THE ACCEPTED NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 35,  
THENCE SOUTH 0° 29' 05" EAST 990.52 FEET TO A FOUND 5/8" PIPE,  
THENCE SOUTH 1° 10' 33" WEST 225.72 FEET TO A SET T-POST AND THE POINT OF BEGINNING,  
THENCE NORTH 89° 54' 27" EAST 1589.00 FEET TO A SET T-POST,  
THENCE NORTH 1° 10' 33" EAST 16.18 FEET TO A SET T-POST,  
THENCE NORTH 89° 54' 27" EAST 1025.98 FEET TO A SET T-POST ON THE WEST LINE OF HIGHWAY NO. 51,  
THENCE SOUTH 4° 48' 22" WEST 27.68 FEET ALONG THE WEST LINE OF SAID HIGHWAY TO A FOUND CONC. ROW. MARKER,  
THENCE SOUTH 8° 38' 37" WEST 141.38 FEET ALONG THE WEST LINE OF SAID HIGHWAY TO A FOUND CONC. ROW. MARKER,  
THENCE SOUTH 8° 50' 55" EAST 112.49 FEET ALONG THE WEST LINE OF SAID HIGHWAY TO A SET T-POST IN A LARGE DITCH,  
THENCE LEAVING SAID HIGHWAY SOUTH 89° 52' 27" WEST 2614.46 FEET TO A FOUND 5/8 INCH PIPE,  
THENCE NORTH 1° 10' 33" EAST 263.91 TO THE POINT OF BEGINNING.

**INDEXING INSTRUCTIONS:**

Southwest 1/4 Of Section 35, Township 1 South, Range 8 West, City of Horn Lake, DeSoto County, Mississippi.

CERTIFICATE OF SERVICE

I, Russel Whittington, the undersigned, hereby certify that a true and correct copy of this Lien Notice has been forwarded to Dr. Robert P. Tate, 7163 Goodman Road, Olive Branch, Mississippi 38654; Traditional Remodeling & Floors, L.L.C., 7876 Stage Hills Blvd., Suite 105, Bartlett, TN 38133; and to Choctaw Construction Company, Inc., 2193 Freemont Road, Memphis, Tennessee 38114; via U. S. Mail, postage prepaid, this 23 day of July, 2002.

WHITTINGTON PAVING CO., INC.

BY: 